



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/119,516	07/21/98	FIGGE, SR.	I 5607-339

NIXON & VANDERHYE P.C.,  
1100 NORTH GLEBE RD.  
8TH FLOOR  
ARLINGTON VA 22201-4714

PM51/0805

EXAMINER

WESSON, T

ART UNIT	PAPER NUMBER
----------	--------------

3641

7

DATE MAILED: 08/05/99

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**09/119,516**

Applicant(s)  
**Figge, Sr. et al**

Examiner  
**Theresa M. Wesson**

Group Art Unit  
**3641**



☐ Responsive to communication(s) filed on \_\_\_\_\_

☐ This action is **FINAL**.

☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 2 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 16-22 and 24-27 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☒ Claim(s) 16-22 and 24-27 is/are allowed.

☐ Claim(s) \_\_\_\_\_ is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 5

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

**This document contains information under  
SECURITY ORDER, as defined in 35 USC 181-182.  
Unauthorized disclosures subject to Civil  
and Criminal Penalties.**

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit:

1. It is noted that the preliminary amendment, received on February 8, 1999 and entered as Paper No. 6, references claims 23 through 33 of the instant application. It is also noted that the copy of the parent application Serial Number 08/811598, filed as the instant application, contains only original claims 1 through 23. Accordingly, the instructions to cancel claims 23 through 33 were only applicable to claim 23, as originally filed.

2. The numbering of claims is not accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 34 through 37 have been renumbered 24 through 27.

3. This application is in condition for allowance except for the following formal matters:

The disclosure is objected to because of the following informalities: On page 2, line 7, 'liner' should be 'liner'; and on page 2, line 12, "5,070,007" should be "5,170,007".

Appropriate correction is required.

Art Unit:

Claim 22 is objected to because of the following informalities: In line 1 of claim 22, "claim 1" should be "claim 16". Appropriate correction is required.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

4. The following is a statement of reasons for the indication of allowable subject matter:

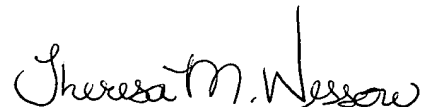
The art of record does not disclose the method of making a rocket motor case having the steps of attaching the claimed plank sections in the claimed relation and overwrapping the claimed sheet material in the claimed relation with the claimed elements, in combination with the remainder of the claimed invention.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patents to Cherry et al and Sides are cited as of interest to show rocket motor cases.

Art Unit:

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Theresa M. Wesson whose telephone number is (703) 306-4176. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles T. Jordan, can be reached on (703) 306-4159.

The fax phone number for the organization where this application or proceeding is assigned is (703) 305-7687. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.



**THERESA M. WESSON  
PATENT EXAMINER**

Theresa M. Wesson

July 28, 1999